

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 5 and 14 are cancelled herein without prejudice to or disclaimer of the subject matter set forth therein. Claims 1-4, 6-13, and 15-20 are pending, of which claims 2, 4, 11, and 13 are withdrawn. Claims 1, 6, 10, 15, 19, and 20 are amended. Claims 1, 10, 19, and 20 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Allowable Subject Matter

Claim 19 has been allowed. Claim 20 would be allowable if amended to overcome the rejections under 35 U.S.C. § 112, first and second paragraphs. In addition, claims 5, 6, 14, and 15 would be allowable if rewritten in independent form and to overcome the rejections under 35 U.S.C. § 112, first and second paragraphs.

In response,

independent claim 20 has been amended to overcome the rejections under 35 U.S.C. § 112, first and second paragraphs;

independent claim 1 has been amended to overcome the rejections under 35 U.S.C. § 112, first and second paragraphs, and to incorporate the allowable subject matter of objected-to claim 5; and

independent claim 10 has been amended to overcome the rejections under 35 U.S.C. § 112, first and second paragraphs, and to incorporate the allowable subject matter of objected-to claim 14.

Claims 5 and 14 are now cancelled.

In view of the above, each of independent claims 1, 10, and 19 is in condition for allowance.

Examiner Interview

If, during further examination of the present application, a discussion with the Applicants' Representative would advance the prosecution of the present application, the Examiner is encouraged to contact Carl T. Thomsen, Registration No. 50,786, at 1-703-208-4030 (direct line) at her convenience.

Restriction Requirement

The Examiner has made the Restriction Requirement final, and has withdrawn claims 2, 4, 11, and 13 from further consideration. When independent claims 1 and 10 are found to be allowable, it is respectfully requested that the Examiner rejoin withdrawn claims 2, 4, 11, and 13, and allow all pending claims of this application.

Objections to the Specification and Drawings, and

Rejections Under 35 U.S.C. § 112, first and second paragraph

Claim 20 stands rejected under 35 U.S.C. § 112, first and second paragraphs. This rejection is respectfully traversed.

In addition, the Examiner states that the original specification and drawings do not disclose "means for adjusting a shortest distance between the close roller and the slice starting point", as recited in claim 20.

In response, the Examiner is respectfully directed to paragraphs [0045] to [0049] of Published Patent Application U.S. 2005/012311, which explicitly disclose screws 48, 50 (see FIG. 1) for adjusting a shortest distance C (See FIG. 2) between the close roller 38 and the slice starting point P. Note also that the moving route of close roller 38 is disclosed in paragraph [0065].

The Applicants respectfully submit that the specification and drawings as originally filed provide proper antecedent basis for the claimed subject matter. Further, the Applicants respectfully submit that the claims, as amended, are fully supported by and adequately described in the written description of the invention.

Accordingly, reconsideration and withdrawal of the objections to the specification and drawings and the rejections under 35 U.S.C. § 112, first and second paragraphs are respectfully requested.

Rejection Under 35 U.S.C. § 112, second paragraph

Claims 1, 3, 5-10, 12, and 14-20 stand rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language allegedly lacks antecedent basis.

In order to overcome this rejection, the Applicants have amended claims 1, 10, 19, and 20 to address each of the issues specifically pointed out by the Examiner. The Applicants respectfully submit that the claims, as amended, particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. § 103(a)

Claims 1, 3, 7, 8, 10, 12, 16 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pickett (U.S. Patent 3,733,948) in view of Pickett (U.S. Patent 3,552,247);

claims 9 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pickett (U.S. Patent 3,733,948) in view of Pickett (U.S. Patent 3,552,247); and further in view of Ullberg (U.S. Patent 3,690,988).

These rejections are respectfully traversed.

Amendments to Independent Claims 1 and 10

As noted above, and while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, independent claim 1 has been amended herein to independent claim 1 has been amended to overcome the rejections under 35 U.S.C. § 112, first and second paragraphs, and to incorporate the allowable subject matter of objected-to claim 5; and

independent claim 10 has been amended to overcome the rejections under 35 U.S.C. § 112, first and second paragraphs, and to incorporate the allowable subject matter of objected-to claim 14.

At least for the reasons explained above, the Applicants respectfully submit that the combination of features as set forth in each of independent claims 1 and 10 is not disclosed or made obvious by the prior art of record, including Pickett '948 and Pickett ' 247

Therefore, independent claims 1 and 10 are in condition for allowance.

Dependent Claims

Dependent claims 5 and 14 have been cancelled and dependent claim 6 and 15 have been amended.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are respectfully requested.

All pending claims are now in condition for allowance.

CONCLUSION

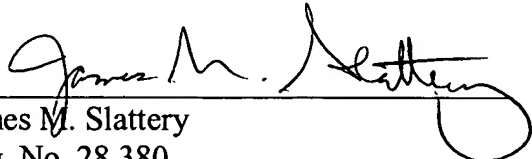
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030(direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Dated: August 26, 2008

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
James M. Slattery

Reg. No. 28,380

P. O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

JMS:CTT:tdo 